IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

R.S.A.No.1490 of 2004
Date of Decision : 24.08.2007

Chhaju s/o Sobha .....Appellant

versus

Ram Kumar and others .....Respondents

CORAM : HON'BLE MR.JUSTICE HEMANT GUPTA

Present: Mr.R.A.Sheoran, Advocate for the appellant.
Mr.Vinod Bhardwaj, Advocate for the respondents.

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JUDGMENT

HEMANT GUPTA, J. (Oral)

The plaintiff is in second appeal aggrieved against the judgment and decree passed by the Courts below whereby his suit for declaration that he has the preferential right to acquire the land in dispute under Section 22 of the Hindu Succession Act, 1956, was dismissed.

One Om Parkash son of Moji son of Bhuru sold the land in dispute vide sale deed dated 20.8.1998 in favour of Ram Kumar and others. The plaintiff is son of Sobha @ Patran another son of Bhuru.

It has been rightly found by the Courts below that the plaintiff is not entitled to acquire the suit land under Section 22 of the Hindu Succession Act, 1956 as he is not the class-I heir of Om Parkash.

In view of the above, I do not find any illegality or irregularity in the finding recorded by the Courts below which may give rise to any substantial question of law for consideration of this Court in second appeal. Consequently, the present appeal stands dismissed.

24-08-2007 **(HEMANT GUPTA)**
*mohinder **JUDGE**